THE HONOURABLE MRS. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE MR. JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 27008 of 2007

ORAL ORDER:
(Per T. Meena Kumari, J)

The Writ Petition is filed seeking stay of collection of balance disputed demand of Rs. 1,86,732/- as against the total disputed demand of Rs. 4,49,684/- for the assessment year 2002-03 pending disposal of the appeal before the 2nd respondent.

The learned counsel for the petitioner submits that the stay petition filed by the petitioner before the 2nd respondent was dismissed by orders dated 18.9.2007 and the appeal filed by the petitioner is still pending before the 2nd respondent. Aggrieved by the action of the respondents, the present Writ Petition has been filed.

It is further submitted by the learned counsel for the petitioner that the total amount has been paid, if no stay is granted, the petitioner would be put to irreparable loss.

Heard the learned Spl. Standing Counsel for Commercial Taxes.

In view of the facts and circumstances of the case, it would suffice if stay is granted subject to payment of 50% of the total amount of disputed tax of Rs. 1,86,732/- as against the total disputed demand of Rs. 4,49,684/-.

Accordingly, the Writ Petition is disposed of. However, pending disposal of the appeal before the 2nd respondent, stay is granted subject to payment of 50% of the disputed tax of

Rs. 1,86,732/- as against the total disputed demand of Rs. 4,49,684/- and the same shall be deposited before the 1st respondent within a period of six weeks from today. It is made clear that if any amount is already paid by the petitioner towards the disputed tax, the same shall be given credit to the 50% of the tax now to be deposited.

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T. MEENA KUMARI, J

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C.V. NAGARJUNA REDDY, J

19.12.2007

N.B.
C.C. by 26.12.2007
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